



— State of —
North Dakota
Office of the Governor
John Hoeven
Governor

EXECUTIVE ORDER 2005-02

I, John Hoeven, Governor of the State of North Dakota, by the authority vested in me do hereby order that the current North Dakota structure for emergency management be designated the “State Emergency Response Commission” in order to implement Title III, Superfund Amendments and Reauthorization Act (S.A.R.A.) of 1986. The State Emergency Response Commission will consist of the Director of the Division of Emergency Management, who will provide overall state coordination, Adjutant General, Governor, Executive Director of the Workforce, Safety and Insurance Agency, Agriculture Commissioner, State Health Officer, Attorney General, Highway Commissioner, Director of State Radio, Director of the Office of Management and Budget, Superintendent of the North Dakota Highway Patrol, State Fire Marshall, Director of the Oil & Gas Division of the North Dakota Industrial Commission, and the Commissioner of the North Dakota Insurance Department, or their designees. The Commission will develop policies, designate responsibilities and establish procedures for implementing S.A.R.A.; shall meet at times and places designated by the Director of the Division of Emergency Management; and shall submit annual reports of its activities and recommendations to the Governor.

This order is issued upon the following basis and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution.
2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code.
3. The Federal Superfund Amendment and Reauthorization Act required the governor to appoint a State Emergency Response Commission to develop emergency state and local operational plans and implement community and citizen right to know programs.
4. The State of North Dakota currently has an emergency management system in place, consisting of several state departments and agencies, as well as local

emergency management organizations, with responsibilities for response to and recovery from emergency and disaster situations.

5. This Executive Order supercedes Executive Orders 1987-3, 1987-8, 1999-07; 1999-07.1, and 2000-02 pertaining to the same subject.

Executed at Bismarck, North Dakota, this 1st day of June, 2005.

/s/
John Hoeven
Governor

Attest:

/s/
Alvin A. Jaeger
Secretary of State